



Rev. 5.15.2020

CITY OF DURHAM
101 CITY HALL PLAZA | DURHAM, NC 27701
919.560.4366 | 919.560.4561

SHARED ACTIVE TRANSPORTATION PERMIT APPLICATION (NEW AND RENEWAL)
For Operating Shared Active Transportation Systems in the Public Right-of-Way

I. INTRODUCTION

The City of Durham adopted a revised ordinance on February 3, 2020, permitting the operation of shared active transportation systems (SATS) within the City. **Any applicant should review the revised ordinance, including the revised fee ordinance, prior to applying for a new application or renewal to be aware of general regulations within the City, including restrictions of operation on private property.** See adopted Ordinance 15598 and Fee Ordinance 15599, codified in Article VII (Shared Active Transportation Systems) of Chapter 50 and Divisions 1 and 2 of Article V of Chapter 66 of the Durham City Code; and Part 17-110 (Shared Active Transportation Systems Permittees) of the City's Fee Schedule.

The City will be accepting new and renewal applications between the period of May 15, 2020, to June 12, 2020. The City may issue multiple individual permits. The Director will determine the permitted number and type of devices (individually, scooters/bicycles/electric bicycles are referred to as "device") authorized by the individual permit on a monthly basis. The total number of devices may increase or decrease based on utilization of the devices and evidenced permit compliance by Permittees.

After applications are received, the City may contact applicants requesting clarification or more information. The City reserves the right to deny any permit request(s) based on insufficient information, unsatisfactory answers to application questions, lack of compliance with the ordinance and permit requirements (if applicable), and to ensure the integrity of the city's transportation system and protect the health, safety, and welfare of Durham residents. Permits will be for one year, and are expected to be issued, effective August 2020.

II. PERMIT APPLICATION INSTRUCTIONS

A. Application Submission and Deadline

Applications must either be emailed to movesafedurham@durhamnc.gov or mailed* to:

City of Durham
Transportation Department, 4th Floor
Attn: Evan Tenenbaum
101 City Hall Plaza
Durham NC, 27701

Permit Applications must be received by 5:00pm June 12, 2020. Email submissions must be a single PDF and not exceed 20 pages.

*Note that due to COVID-19 most of City Staff is working from home. If mailing an application, please also notify via email (movesafedurham@durhamnc.gov) that you have mailed your application, so Staff can go to City Hall to retrieve the application.

B. Fee Schedule

First Time Permit Application Fee	\$1,000.00	(non-refundable)
Permit Renewal Fee	\$500.00	(non-refundable)
Permit Issuance Fee (Per Device Deployed) per month:		
Scooter	\$10.00	
Electric Assisted Bicycle	\$10.00	
Bicycle	\$10.00	

C. Fee Payment

The First Time Permit Application Fee or Permit Renewal Fee is due at the time of the application submission and is non-refundable. If granted a permit, the Applicant will be required to pay the first month's Permit Issuance Fee within 15 calendar days of receiving an invoice from the City of Durham, prior to deployment of devices. Applicants will also be required to either provide the City with a performance bond or cashier's check in the amount of \$10,000.00.

D. Questions

Questions can be directed to movesafedurham@durhamnc.gov or 919-560-4366, ext. 36400.

III. PERMIT APPLICATION

Operator Information	
NAME OF APPLICANT	
CONTACT NAME	
BUSINESS ADDRESS	
MAILING ADDRESS (IF DIFFERENT THAN BUSINESS ADDRESS)	
PRIMARY CONTACT NAME AND TITLE	
PRIMARY CONTACT PHONE NUMBER	
PRIMARY CONTACT EMAIL ADDRESS	
GENERAL CONTACT PHONE NUMBER	
GENERAL CONTACT EMAIL ADDRESS	
WEBSITE	

Certification: I (We), the undersigned, do hereby make an application for a Shared Active Transportation Permit, and understand that all the required information must be supplied for this application to be considered complete and valid. Additionally, the Shared Active Transportation System and all devices will operate under the requirements described in Chapter 50 of the City Code, in addition and/or notwithstanding the requirements outlined elsewhere in this permit application or City Code.

Authorized Signature and Title

Date

Tracking Information (CITY USE)	
Date Received:	Received By:

IV. PERMIT REQUIREMENTS

Applicant certifies that all devices used in the proposed shared active transportation system meet the following criteria (initial, if not applicable write N/A):

- _____ All bicycles meet the standards outlined in the Code of Federal Regulations (CFR) under Title 16, Chapter II, Subchapter C, Part 1512 – Requirements for Bicycles, as amended.
- _____ All bicycles meet the safety standards outlined in ISO 43.150 – Cycles, subsection 4210, as amended.
- _____ All shared devices comply with the applicable equipment and vehicle registration requirements of Chapter 20 of the North Carolina General Statutes.
- _____ All shared devices have contact information including the website and phone number on every device.
- _____ All shared devices prominently display a unique and easily readable serial number or other identifier.
- _____ All shared devices are equipped with technology, such as GPS, that allows the shared device to be located and tracked by the permittee at all times.

V. SUPPLEMENTAL APPLICATION QUESTIONS

A. Number of Shared Active Transportation Devices*:

- a. List how many of each shared active transportation device you are proposing to have available for public use within 28 days of permit issuance. Provide justification about why you believe this is the right amount of devices for your company and the City of Durham.

*Note: The total fleet size and makeup allowed under the permit will be determined based upon total number of permit applications, proposed fleet requests, permit compliance and other factors affecting public health, safety, and welfare.

B. Operations – Describe*:

- a. Compliance on City's hours of operation (currently 6 AM to 11PM)
- b. Pricing plan for customers
- c. Storage of devices during non-operational hours
- d. Proposed service areas within the City
- e. Sanitation protocol (especially during the COVID-19 situation) and general maintenance and upkeep of vehicles
- f. Methods to provide the City of records of collisions or crashes reported to permittee when requested
- g. Methods to provide the City of records of complaints reported to permittee when requested
- h. Methods and frequency of deploying, redistributing, and (if applicable) charging shared active transportation devices.

*Note: For renewal applications, please also describe prior year compliance and expected continued compliance of the above

C. Equal Access – Describe:

- a. How you intend to reduce barriers to low-income persons to rent shared devices.
- b. Available payment options, including options for persons with neither a smart phone nor a credit card, and communication to customers for these options
- c. How you will maintain a sufficient number of shared devices in low and moderate income areas, including at least 20% of devices within census tracts 9, 10.01, 10.02, 11, 13.01, 13.03 and 14.
- d. For renewals only, can you estimate the number of persons utilizing alternative payment options described above over the length of your current permit?

D. Communications – Describe/illustrate:

- a. How persons operating the devices will be notified on the company website, mobile app, and on the device that:
 - i. Persons operating bicycles and electric assisted bicycles are encouraged to wear helmets.
 - ii. Persons operating motorized scooters must be at least 16 years old and wear a helmet.
 - iii. NC law requires persons operating the device to follow applicable traffic laws.
 - iv. City ordinance prohibits riding devices on sidewalks.
 - v. Operating electric assisted bicycles and motorized scooters is prohibited on shared-use paths.
- b. Previous (if applicable) and proposed programs to educate customers on how to safely operate shared devices, including knowledge of laws applicable to operation of a shared device.
- c. How charges will be communicated to prospective customers, including the rates and dollar amounts of fees, rental charges, minimum charges, maximum charges, charges for additional time, and charges for overage periods. Additionally, how information on the rate per minute, hour, mile or other applicable time period or distance will be communicated.
- d. Your customer support email address and 24-hour customer service phone number and whether the number provides the ability for translation services.

E. Parking/Rebalancing – Describe/illustrate:

- a. Plans to ensure devices are not parked in a way to impede the regular flow of vehicular and pedestrian travel.
- b. Ways customers will be informed of where to park the devices.
- c. How you will know whether devices are upright.
- d. Plans to remove or re-park devices parked in violation of the City Code within 2 hours of notification from any person on weekdays from 6:00am to 6:00pm, and within 12 hours at all other times.
- e. The way customers will be notified and/or the devices will be disabled when they are parked or operated in non-allowed locations, and how these devices will be removed or relocated.
- f. How devices will be removed in the event of high winds or other hazardous weather events.

F. Additional Information

- a. Describe your helmet distribution strategy, if applicable.
- b. Describe any other adjustments you are making in operations due to the COVID-19 pandemic.
- c. Identify current or planned partnerships with Durham companies, non-profits, universities, or other entities you currently have or are planning on obtaining. Describe this relationship and how it relates to improved shared active transportation operations.

G. Operator-Specific Questions (For renewals only, to be discussed with City Staff after submission of the application)

VI. DATA SHARING AGREEMENT

The City of Durham will use a third-party provider to process parking, availability and trip data in a format that allows for safe, equitable and effective management of the shared active transportation system throughout the city.

- A. At time of application, applicants must agree to provide a City-approved third-party provider, access to data in the format of the Mobility Data Specification (MDS) as outlined at <https://github.com/openmobilityfoundation/mobility-data-specification>:**
 - a. Data should include all required fields of the Provider API in addition to the *parking_verification_url* field.
 - b. Permittee should update the MDS status endpoint at least every 10 minutes during operation.
 - c. Implementation of changes to the required fields, as formalized through the MDS Github Repository, will be required within 30 business days of agreement.
- B. The City will use a third party vendor to conduct an audit on the MDS API of each micromobility service to ensure compliance with the specification as a condition of launch of service, being provided formal notice by the City.**

Do you agree to provide the above mentioned data to a third-party operator prior to permit issuance and agree that permit issuance will be contingent upon the results of the audit performed by the third party?

- ☐ Yes
- ☐ No

Application Checklist

- Permit application fee of \$1,000.00 (if applicable)
- Permit renewal application fee of \$500.00 (if applicable)
- Response to “III. Permit Application”
- Response to “IV: Permit Requirements”
- Response to “V: Supplement Application Questions”
- Response to “VI: Data Sharing Agreement”

If the application is approved, the following will be required prior to the issuance of the permit:

- An updated certificate with general commercial liability insurance with a minimum liability limit of \$1,000,000 and that lists the City of Durham as additionally insured as reads “The City of Durham as its interest may appear.”
- A performance bond or cashier’s check in the amount of \$10,000, to be executed and delivered to the City before the effective operation date
- The first month’s Permit Issuance Fee based on number of devices determined by City of Durham
- Verification of API
- Signed Indemnification Agreement

Permit application and all appropriate documents are due by 5:00 PM on June 12, 2020, and should be submitted to:

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Transportation Department, 4th Floor
Attn: Evan Tenenbaum
101 City Hall Plaza
Durham NC, 27701

Or alternatively via email to: movesafedurham@durhamnc.gov. Email submissions must be a single PDF and not exceed 20 pages.